

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

Hr. Gräbe

PCT

| | |
|---|--|
| To: SIEMENS AKTIENGESELLSCHAFT Postfach 22 16-34 D-80506 München GERMANY | PCT IPS AM Mch P <i>OK</i> rec. DEC 30 2004 IP time limit 28.02.05 |
|---|--|

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

*Brs, 20.01.05: Es wird kein Auftrag -
antrag gestellt. Urk. Kap. I 30 Mon.*

(PCT Rule 44.1)

| | |
|---|---|
| Applicant's or agent's file reference 2003P09911WO | FOR FURTHER ACTION See paragraphs 1 and 4 below |
| International application No. PCT/EP2004/051185 | International filing date (day/month/year) 21/06/2004 |
| Applicant SIEMENS AKTIENGESELLSCHAFT | |

1. The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):
When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
 1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

| | |
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| Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016 | Authorized officer Carina Bergström |
|---|--|

(See notes on accompanying sheet)

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.
A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-12

Arrangement and method for calibration of antenna array, wherein each transceiver is connected to an element of the antenna array, and at least one transceiver is additionally connected to a calibration antenna.

2. claim: 13

Method for calibration of antenna array wherein transmission and reception of test signals is implemented in a transmission gap of a time frame.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

| | | |
|--|--|--|
| Applicant's or agent's file reference 2003P09911WO | FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below. | |
| International application No. PCT/EP2004/051185 | International filing date (day/month/year) 21/06/2004 | (Earliest) Priority Date (day/month/year) 30/07/2003 |
| Applicant SIEMENS AKTIENGESELLSCHAFT | | |

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.
 It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (See Box II).

3. Unity of invention is lacking (see Box III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

ANTENNAS ARRAY CALIBRATION ARRANGEMENT AND METHOD

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regards to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 4

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2004/051185

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

1-12

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04B7/04 H01Q3/26

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 H04B H01Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, INSPEC

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category ° | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|---|-----------------------|
| A | EP 1 329 983 A (NIPPON ELECTRIC CO) 23 July 2003 (2003-07-23) abstract paragraphs [0010] - [0013] figure 4 ----- US 6 252 542 B1 (SCHUSS JACK J ET AL) 26 June 2001 (2001-06-26) abstract column 4, line 11 - line 26 figure 1 ----- WO 03/021287 A (ERICSSON TELEFON AB L M ;HAKAN ERIKSSON MATS GUNNAR (SE)) 13 March 2003 (2003-03-13) abstract page 12, line 26 - line 31 figure 2 page 6, line 33 - page 7, line 11 ----- | 1,7,8 |
| A | | 1,7,8 |
| A | | 1,7,8 |



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

° Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

Date of mailing of the international search report

28 September 2004

30.12.2004

Name and mailing address of the ISA
European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Lustrini, D

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/051185

| Patent document cited in search report | Publication date | | Patent family member(s) | Publication date |
|--|------------------|--|---|--|
| EP 1329983 | A 23-07-2003 | JP CN EP US | 2003218621 A 1434300 A 1329983 A2 2003142012 A1 | 31-07-2003 06-08-2003 23-07-2003 31-07-2003 |
| US 6252542 | B1 26-06-2001 | AU CA DE DE EP JP WO | 5201899 A 2324273 A1 69913327 D1 69913327 T2 1064697 A2 2002512465 T 9954960 A2 | 08-11-1999 28-10-1999 15-01-2004 07-10-2004 03-01-2001 23-04-2002 28-10-1999 |
| WO 03021287 | A 13-03-2003 | EP WO | 1428043 A1 03021287 A1 | 16-06-2004 13-03-2003 |

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/051185

6er-2 **Cover sheet (examiner version, for internal use only)**

BRS
International application No.
PCT/EP2004/051185

International filing date (day/month/year)
21.06.2004

Priority date (day/month/year)
30.07.2003

International Patent Classification (IPC) or both national Classification and IPC

H04B7/04, H01Q3/26

WJS
Applicant
SIEMENS AKTIENGESELLSCHAFT

| | |
|------------------|----------|
| CTIPS AM Mch P | 80 |
| 2003 P 09911 WO | |
| rec. DEC 30 2004 | |
| IP | |
| time limit | 28.02.05 |

1. This report contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. The applicant is hereby invited to reply to this opinion.

Frist ÜL 30.01.06

Domenico Lustrini

Lestrini, D
Authorized officer

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITYInternational application No.
PCT/EP2004/051185**10/566357****Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language .

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

- a. **type of material:**
 - a sequence listing
 - table(s) related to the sequence listing
- b. **format of material:**
 - in written format
 - in computer readable form
- c. **time of filing/furnishing:**
 - contained in the international application as filed.
 - filed together with the international application in computer readable form.
 - furnished subsequently to this Authority for the purposes of search.

3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/051185

Box No. II Priority

1. The following document has not been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

the entire international application,
 claims Nos. 13

because:

the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):
 the description, claims or drawings (*indicate particular elements below*) or said claims Nos. are so unclear that no meaningful opinion could be formed (specify):
 the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
 no international search report has been established for the whole application or for said claims Nos. 13
 the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form has not been furnished
 does not comply with the standard
the computer readable form has not been furnished
 does not comply with the standard

the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.
 See separate sheet for further details

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/EP2004/051185

Box No. IV Lack of unity of invention

1. In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has:

- paid additional fees.
- paid additional fees under protest.
- not paid additional fees.

2. This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is

- complied with
- not complied with for the following reasons:
see separate sheet

4. Consequently, this report has been established in respect of the following parts of the international application:

- all parts.
- the parts relating to claims Nos. 1-12

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

| | | |
|-------------------------------|-------------|------|
| Novelty (N) | Yes: Claims | 1-12 |
| | No: Claims | |
| Inventive step (IS) | Yes: Claims | 1-12 |
| | No: Claims | |
| Industrial applicability (IA) | Yes: Claims | 1-12 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Re Item IV

Lack of unity of invention

1. Reference is made to the following document:
D1: EP-A-1 329 983 (NIPPON ELECTRIC CO) 23 July 2003 (2003-07-23).
2. The present application does not comply with the requirements of unity of invention (PCT Rules 13.1, 13.2, 13.3) for the following reasons.
 - 2.1. The common technical features of the two groups of inventions are:
 - Control of transmission and/or reception of signals;
 - Transceiving means connected to antenna array elements;
 - Calibration antenna;
 - Transmitter calibration procedure;
 - Receiver calibration procedure;
 - Beamforming taking into account calibration results;

They are already known (cf. D1 par.10-13, fig. 4).

- 2.2. The special technical features (PCT Rule 13.2) of independent claims 1 and 8 with respect to D1 are:
 - At least one transceiver is additionally connected to the calibration antenna;they solve the problem of:
 - how to avoid additional costs and space requirements caused by the presence of a specialised calibration transceiver (see description page 4 line 31-page 5 line 2).
- 2.3. The special technical features (PCT Rule 13.2) of independent claim 13 with respect to D1 are:
 - Calibration transceiving means;
 - Transmission and reception of test signals implemented a during transmission gap of a time frame;they solve the problem of:
 - how to implement a calibration without reducing neither the overall transmission capacity of the frame nor the system performance (see description page 10 lines 4-7).

2.4. These subjects have none common/corresponding special technical features, furthermore they relate to different solutions of different objectively determined problems.
Thus the requirement of unity of invention (PCT Rule 13.1) is not fulfilled.

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

3.1. The document D1 is regarded as being the closest prior art to the subject-matter of claims 1 and 8, and shows (fig. 4 par. 10-13):
an array antenna calibration apparatus in which the calibration signal, received by one group of antenna elements, is transmitted by one of the antenna elements belonging to a second different group. The relative calibration factor, between the first group and the second group, is obtained by phase and amplitude characteristic calculation means, operating on the synthesized calibration signal.

3.2. The problem to be solved by the present invention may be regarded as: how to avoid additional costs and space requirements caused by the presence of a specialised calibration transceiver.

3.3. The solution to this problem proposed in claims 1 and 8 of the present application is to have an array of antennas with corresponding connected transceiver, and a separate calibration antenna. At least one of the transceivers is also coupled to the calibration antenna.

3.4. This solution is not disclosed in D1, neither D1 contains any hint or suggestion to it. The subject-matter of claims 1 and 8 is therefore considered new (Article 33(2) PCT) and involving an inventive step (Article 33(3) PCT).

3.5. Claims 2-7 and 9-12 are dependent on claims 1 and 8. As such they also meet the requirements of the PCT with respect to novelty and inventive step.

* * * * *